

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT  
1300 OAK STREET  
KANSAS CITY, MISSOURI 64106**

**DIVISION 1**

**LISA WHITE HARDWICK, PRESIDING JUDGE  
CYNTHIA MARTIN, JUDGE  
GARY D. WITT, JUDGE**

**DIVISION 2**

**VICTOR C. HOWARD, PRESIDING JUDGE  
THOMAS H. NEWTON, JUDGE  
KAREN KING MITCHELL, JUDGE**

**DIVISION 3**

**GARY D. WITT, PRESIDING JUDGE  
JAMES E. WELSH, JUDGE  
ANTHONY REX GABBERT, JUDGE**

**DIVISION 4**

**ALOK AHUJA, CHIEF JUDGE, PRESIDING  
MARK D. PFEIFFER, JUDGE  
DALE YOUNGS, SPECIAL JUDGE**

**ORAL ARGUMENT DOCKET - MAY, 2016**

**NOTICE TO COUNSEL**

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

***DIVISION 1: THIS DIVISION WILL SIT ON ON MAY 19 AND 24, 2016 WITH ONE DOCKET CALL AT 9:00 A.M.***

***DIVISION 2: THIS DIVISION WILL SIT ON MAY 5 AND 31, 2016 WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.***

***DIVISION 3: THIS DIVISION WILL SIT ON MAY 4 AND 25, 2016 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.***

***DIVISION 4: THIS DIVISION WILL SIT ON MAY 18, 2016 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.***

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

**PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:**

**In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.**

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

**Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).**

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

**DIVISION 1**

**LISA WHITE HARDWICK, PRESIDING JUDGE  
CYNTHIA MARTIN, JUDGE  
GARY D. WITT, JUDGE**

**MAY, 2016**

**IMPORTANT NOTE**

**THIS DIVISION WILL SIT ON MAY 19 AND 24, 2016 WITH  
ONE DOCKET CALL AT 9:00 A.M.**

**PLEASE NOTE THE TIME AND DATE OF YOUR ARGUMENT. THIS  
INFORMATION IS LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR  
CASE IS LISTED.**



**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**19-May-2016 09:00**

**DIVISION 1**

**Western District Ct of Appeals**

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**1. WD78903**

CLAY COUNTY CIRCUIT COURT

**THOMAS L REAVIS, APPELLANT,  
vs  
DEREK J TONKS, RESPONDENT, SHIRLENE TONKS, DEFENDANT.**

THOMAS L REAVIS, Appellant  
BRUCE BRANDOM BROWN  
SHIRLENE TONKS, Defendant  
DEREK J TONKS, Respondent  
DENNIS EUGENE DAVIDSON

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**2. WD78536**

JACKSON COUNTY CIRCUIT COURT

**WAYNE STALLSWORTH, APPELLANT,  
vs  
SHERIFF OF JACKSON COUNTY, MISSOURI, RESPONDENT.**

WAYNE STALLSWORTH, Appellant  
KEVIN L JAMISON  
SHERIFF OF JACKSON COUNTY, MISSOURI, Respondent  
ROBERT TRAVIS WILLINGHAM

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

19-May-2016 09:00

DIVISION 1

Western District Ct of Appeals

3. WD78991

JACKSON COUNTY CIRCUIT COURT

**JONATHAN GERKE, ET AL., APPELLANTS,  
vs  
CITY OF KANSAS CITY, MISSOURI, ET AL., RESPONDENTS.**

JONATHAN GERKE, Appellant

MARTIN MARK MEYERS

ANDREW JOSEPH SCHERMERHORN

JULIE KENNEY, Appellant

MARTIN MARK MEYERS

ANDREW JOSEPH SCHERMERHORN

JOHN MICHAEL KLAMANN

JARID WARD, Appellant

MARTIN MARK MEYERS

WILLIAM LEWIS CARR

PAUL DOUGLAS ANDERSON

ANDREW JOSEPH SCHERMERHORN

JOHN MICHAEL KLAMANN

JULIE KENNEY, Appellant

MARTIN MARK MEYERS

WILLIAM LEWIS CARR

JONATHAN GERKE, Appellant

MARTIN MARK MEYERS

PAUL DOUGLAS ANDERSON

JOHN MICHAEL KLAMANN

WILLIAM LEWIS CARR

JULIE KENNEY, Appellant

MARTIN MARK MEYERS

PAUL DOUGLAS ANDERSON

KIMBERLY GUARDADO, Appellant

MARTIN MARK MEYERS

WILLIAM LEWIS CARR

PAUL DOUGLAS ANDERSON

ANDREW JOSEPH SCHERMERHORN

JOHN MICHAEL KLAMANN

CITY OF KANSAS CITY, MISSOURI, Respondent

GALEN P BEAUFORT

SARAH BAXTER

CITY OF INDEPENDENCE, MISSOURI, Respondent

STEVEN E MAUER

JESSICA BLAKELY JAMES

CITY OF LAKE TAPAWINGO, Respondent

\*\*\*EXPANDED ARGUMENT:

15 MIN. FOR APPELLANTS;

15 MIN. FOR RESPONDENTS;

5 MIN. FOR APPELLANTS;

REBUTTAL.\*\*\*

**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**19-May-2016 09:00**

**DIVISION 1**

**Western District Ct of Appeals**

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PAUL ANTHONY CAMPO  
CITY OF OAK GROVE, MISSOURI, Respondent  
PAUL ANTHONY CAMPO  
CITY OF LAKE LOTAWANA, Respondent  
RUSSELL MARK NASTEFF  
CHRISTINE MARIE BUSHYHEAD  
CITY OF LONE JACK, Respondent  
PAUL ANTHONY CAMPO  
CITY OF GREENWOOD, MISSOURI, Respondent  
PAUL ANTHONY CAMPO  
CITY OF BLUE SPRINGS, MISSOURI, Respondent  
NANCY KELLEY YENDES  
CITY OF GRAIN VALLEY, MISSOURI, Respondent  
JAMES T COOK  
MATTHEW WILLIAM GEARY  
CITY OF RAYTOWN, MISSOURI, Respondent  
JOE F WILLERTH  
CITY OF LEE'S SUMMIT, Respondent  
MARK D KATZ  
LAWRENCE EDWARD NORDLING  
CITY OF GRANDVIEW, Respondent  
JOSEPH SCOTT GALL  
CITY OF BUCKNER, MISSOURI, Respondent  
STEVEN E MAUER  
JESSICA BLAKELY JAMES

\*\*\*EXPANDED ARGUMENT: 15 min for Apps, 15 min for Resps; 5 min App rebuttal\*\*\*

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**24-May-2016 09:00**

**DIVISION 1**

**Western District Ct of Appeals**

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**1. WD78539**

CLAY COUNTY CIRCUIT COURT

**BMO HARRIS BANK, RESPONDENT,  
vs  
WILLIAM DUNN, III, DEFENDANT; HAWES TRUST INVESTMENTS, LLC, APPELLANT**

HAWES TRUST INVESTMENTS, LLC, Appellant  
JAMES ALLEN KESSINGER  
LUKE ANDREW DEMAREE  
WILLIAM DUNN III, Defendant  
BMO HARRIS BANK, NA, Respondent  
WILLIAM HOWARD MEYER

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**2. WD78804**

PLATTE COUNTY CIRCUIT COURT

**BARTON J COHEN, AS TRUSTEE OF THE BARTON J COHEN TRUST DATED DECEMBER 12,  
1990, AND AS TRUSTEE OF THE CASS FAMILY 2004 IRREVOCABLE TRUST DATED DECEMBER  
23, 2004, GENERAL PARTNERS OF DESERT ASSOCIATES, A TEXAS GENERAL PARTNERSHIP,  
RESPONDENT,  
vs  
NORMAND PROPERTY ASSOCIATES, L.P., RESPONDENT AND RICHARD L BROWN,  
APPELLANT.**

RICHARD L BROWN, Appellant  
MICHAEL THOMAS GEORGE  
BARTON J COHEN, Respondent  
GREER SHIRREFFS LANG  
NORMAND PROPERTY ASSOCIATES, L.P., Respondent  
CATHERINE ROSE MCLEOD

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS**

**Docket**

**24-May-2016 09:00**

**DIVISION 1**

**Western District Ct of Appeals**

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**3. WD79121**

JACKSON COUNTY CIRCUIT COURT

**GARY GENTRY, RESPONDENT,  
vs  
ORKIN, LLC, ET AL., APPELLANTS.**

ORKIN, LLC, Appellant

TRINA RICKETTS LERICHE

ADAM TODD PANKRATZ

DANNY BIRON, Appellant

TRINA RICKETTS LERICHE

ADAM TODD PANKRATZ

GARY GENTRY, Respondent

KIRK D HOLMAN

KENNETH DONALD KINNEY

THOMAS F RALSTON

JOHN MICHAEL CUSICK

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